

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

TONY L. WARE, CEO and
T. L. WARE BOTTLING COMPANY,
INC.

Plaintiffs,

v.

FLEETBOSTON FINANCIAL CORP.,
f/k/a BANKBOSTON CORP.,

Defendant.

Civil Action

File No. 1:05-CV-0426MHS

AFFIDAVIT OF LADISA ROBINSON

Ladisa Robinson, after being duly sworn, states and
deposes:

1.

I am over 18 years of age and am otherwise competent to give this affidavit which I make on personal knowledge.

2.

I am employed in the Office of the Clerk of Court for the Fulton County Superior Court, Appeals Division. I have reviewed the records of the Clerk of Court for the Fulton County Superior Court, in particular the records relating to Fulton County Superior Court Civil Action Number 2004-CV-94553, Tony L. Ware,

CEO, and T.L. Ware Bottling Co., Inc. v. FleetBoston Financial Corp. f/k/a/ BankBoston Corp.

3.

The records show that on February 9, 2005, the Clerk's Office of the Superior Court transmitted the Bill of Costs to Plaintiff via Certified Mail, Return Receipt Requested. The Certified Mail receipt was signed on February 17, 2005. The Bill of Costs required Plaintiffs to pay the costs within twenty (20) days of receipt of the Bill of Costs. Plaintiffs have not paid the costs.

4.

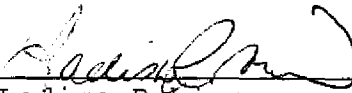
Although Plaintiffs filed an "Affidavit of Indigence" on February 14, 2005, the Court record does not contain any Order waiving the payment of costs.

5.

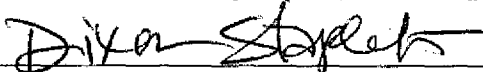
Because Plaintiffs have not paid the costs and because no Order has been filed waiving the payment of costs, the Office of the Clerk of Court has not transmitted this civil action to the Georgia Court of Appeals or the Supreme Court of Georgia.

(signature on next page)

FURTHER AFFIANT SAYETH NOT.


Ladisa Robinson

Sworn to and subscribed
before me this 25th day
of March, 2005.


Notary Public

My Commission Expires:

(AFFIX NOTARIAL SEAL)

Notary Public, DeKalb County, Georgia
My Commission Expires March 12, 2007

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